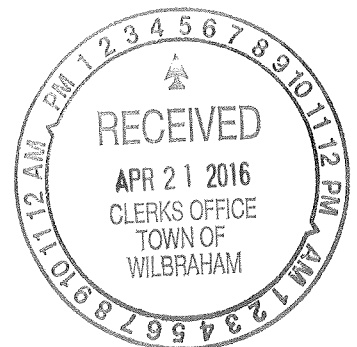
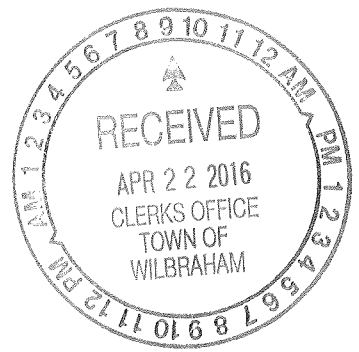


## Article 5, Exhibit A - Parliamentary Procedure for Financial Matters

### *PARLIAMENTARY PROCEDURE TO BE FOLLOWED WITH RESPECT TO ADOPTION OF BUDGET (ARTICLE 7) AND OTHER APPROPRIATIONS*

1. All motions to appropriate funds not recommended by the Finance Committee, increase an appropriation recommended by the Finance Committee, or change the method of funding from the recommendation of the Finance Committee under any article considered at this Annual Town Meeting shall be made in writing, signed by the proponent, and shall be delivered to the Moderator after said motion has been seconded, and shall, if said motion proposes to appropriate funds in excess of the Finance Committee's recommendation, or decrease funding from fees or other sources of revenue which has been recommended by the Finance Committee, specify the specific available fund or the specific portion of the town budget which shall be reduced in an amount sufficient to fund said appropriation, increased appropriation or reduced funding under consideration.
2. In connection with the discussions of said motion, it shall be appropriate for the Town Meeting to consider the effect which an appropriation increase or reduction in the portion of the town budget proposed by said article would have upon the town.
3. After said written motion has been discussed, a tentative vote shall then be taken by the Town Meeting which shall not, however, be binding upon the Town Meeting. If said motion receives a majority of those voting, it shall be retained for final consideration and vote by the Town Meeting at the conclusion of the initial presentation of all proposed appropriation increases or decreases under Article 7. If said motion fails to receive a majority of those voting in said tentative vote, it shall not be subject to further consideration by said Town Meeting.
4. At the conclusion of the presentation of Article 7, before consideration of the main motions with respect to Article 7 all of those written motions relating to appropriations, increases or decreases in appropriations or decreases in funding from fees or other sources of revenue which have received a tentative majority vote shall then be presented by the Moderator for final consideration after the Finance Committee has analyzed said written motions and has prepared a summary showing the cumulative effect that the adoption of said written motions would have upon the proposed appropriations under Article 7. Said written motions shall be considered in the order in which they were presented but no motions not previously presented for tentative vote shall be considered unless requested by two-thirds vote of the Town Meeting.
5. The Finance Committee shall certify to the Moderator prior to the commencement of discussion on Article 7, upon request, the amount available for appropriation by said Town Meeting, taking into account appropriations already made and appropriations recommended by the Finance Committee which have not yet been voted upon. No motion shall be considered which attempts to appropriate an amount in excess of that which the Finance Committee certifies to be available for appropriation under the provisions of Chapter 580 of the Acts of 1980, as amended (Proposition 2½).





## **“ARTICLE 24 - ZONING AMENDMENT EXHIBIT A”**

### **MISCELLANEOUS HOUSEKEEPING REGULATIONS (Sections 2.2, 2.3.2, 4.7, 9.2, 10.3 and 13.5.1.3)**

**TO AMEND THE WILBRAHAM ZONING BY-LAW IN THE FOLLOWING MANNER:**

#### **1. FLEXIBLE NON-SUBDIVISION (ESTATE LOT) REGULATIONS**

**By deleting existing Section 4.7 [Flexible Non-Subdivision (Estate Lot) Regulations] in its entirety and substituting therefor a new Section 4.7 to read as follows:**

#### **4.7 FLEXIBLE NON-SUBDIVISION (ESTATE LOT) REGULATIONS**

The Planning Board, acting as the Special Permit Granting Authority may grant approval to a non-subdivision plan which includes the creation of lots having less frontage on a street as defined in Section 1.3 under sub-definitions (a) (b) and (c) than is otherwise provided for in this By-Law, for the purpose of preserving open space and of reducing visual and traffic density, provided that the following conditions are met.

- 4.7.1** Such application shall be accompanied by a Site Plan and such other information as is required by Planning Board Subdivision Rules and Regulations.
- 4.7.2** After submission of fees by the applicant, publication of notice and a public hearing, the Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission and the Board of Health grant such Special Permit provided that:
  - A.** The total parcel consists of at least 320,000 square feet before division into separate lots, of which no more than forty (40) percent is wetland.
  - B.** Any lot which does not satisfy the frontage requirements has a total area which is at least equal to three hundred (300) percent of the minimum lot size requirement as set forth in Section 4.4. If the lot is located in two residential zoning districts, the district in which the house is to be located shall determine the minimum lot size requirement.
  - C.** Any lot which does not satisfy the frontage requirements has a Minimum Usable Land Area as defined in section 1.3 and set forth in Section 4.4. If the lot is located in two residential zoning districts,

the district in which the house is to be located shall determine the Minimum Usable Land Area requirement.

- D. As a result of the approval of said plan, Open Space equal to at least 200,000 square feet for each lot having less than the required frontage is being created thereby on that lot or on other adjacent land. The purpose of this requirement is to avoid increasing density on tracts of land which could otherwise be developed as a formal subdivision by providing for a more limited form of development which results in substantially less overall density than would occur if said parcel was to be developed as a subdivision under this By-Law.
- E. Such Site Plan shall provide for a Building Envelope within a surveyed and dimensioned Clearing Envelope with respect to any such lot created so as to ensure that the siting of such houses is suitable to the neighborhood.

**4.7.3** The Planning Board may impose further restrictions upon the tract as a condition to granting the Special Permit as the Planning Board shall deem appropriate to accomplish the purposes of this By-Law.

**4.7.4** In connection with the issuing or denying of a special permit under this section, the Planning Board shall issue to the applicant and file with the Town Clerk a written decision which shall include as a minimum:

- A. For each lot established by the approval of said plan having less than the minimum frontage requirement, a determination that the total area of the lot, the area of the lot which is Usable Land Area, and the area of Open Space set forth on the lot or adjacent land are in conformance with the requirements of this section;
- B. A general description of the neighborhood in which the tract lies and the effect of the plan on the area;
- C. The relationship of the plan to long range plans of the Town, if any;
- D. Whether or not the plan is designed to take advantage of the natural terrain of the tract;
- E. Whether or not the proposed open space is of a size and shape to either provide adequate access to benefit the Town or the creation of which is otherwise advantageous to the Town;
- F. If the Planning Board grants the Special Permit, the findings required by Section 4.7.2 and Section 13.6.5;
- G. If the Planning Board denies the Special Permit, its reasons for so doing; and
- H. If the Planning Board disagrees with the recommendations of the Conservation Commission or the Board of Health, it shall state its reasons therefor in writing.

- 4.7.5 No building lot shown on said Site Plan may be subdivided at any subsequent time into two or more building lots unless said right has been expressly reserved by said Special Permit and no variance may be issued by the Board of Appeals which creates an additional building lot.

**2. GROUND WATER PROTECTION DISTRICT**

- A. By deleting the reference to “Ground Water Protection District” in Section 2.2 [Overlay Zoning Districts];
- B. By deleting the words “the Ground Water Protection District as defined in Section 9.2.3” in section 2.3.2 [Zoning Map]; and
- C. By deleting Section 9.2 [Ground Water Protection District] in its entirety.

**3. GAS AND OIL PIPELINES**

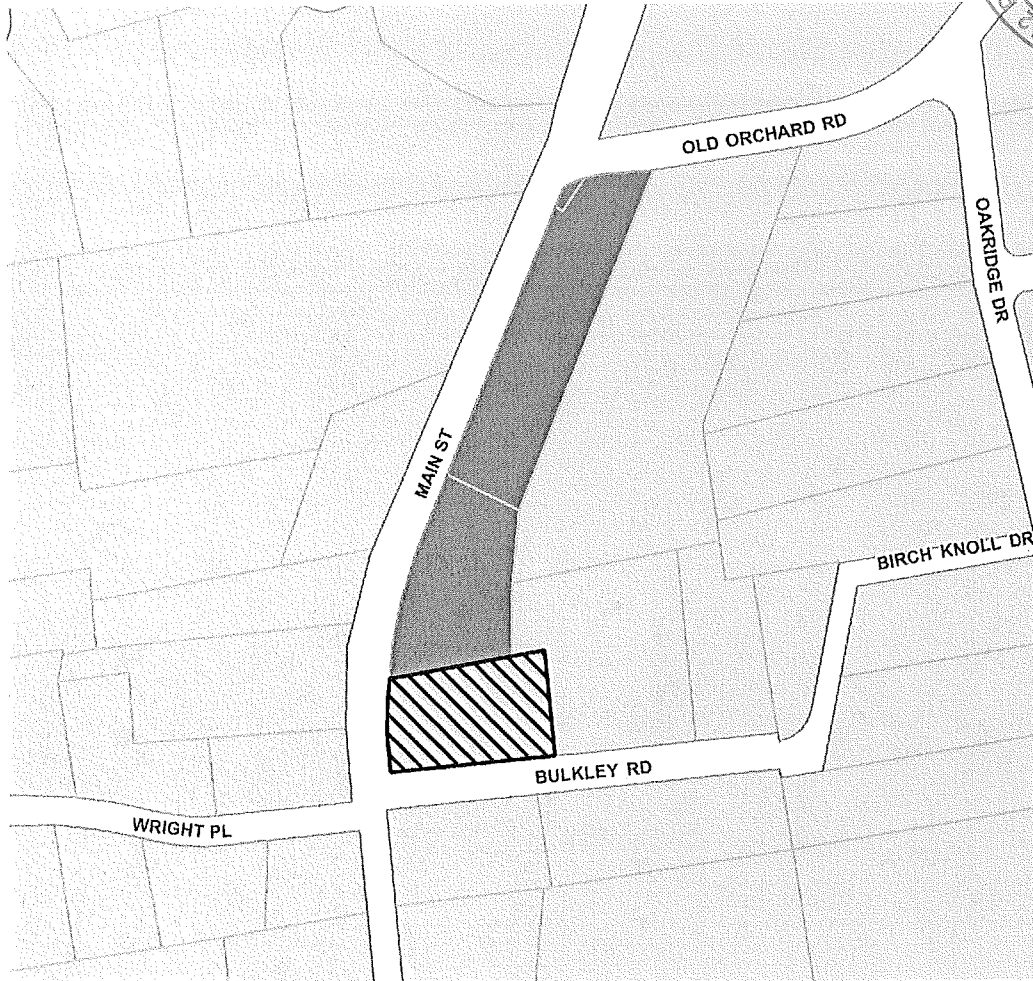
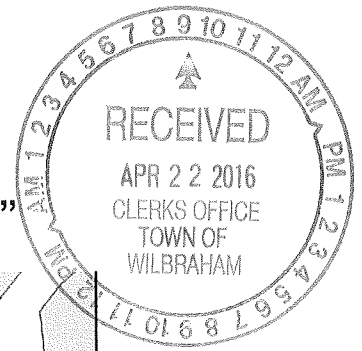
By deleting existing Section 10.3 [Gas and Oil Pipelines] in its entirety.

**4. SITE PLAN APPROVAL APPLICABILITY**

By deleting existing Section 13.5.1.3 [Site Plan Approval Applicability] in its entirety and substituting therefor a new Section 13.5.1.3 to read as follows:

- 13.5.1.3** No Site Plan Approval shall be required in those instances where a lawful change in use subject to site plan approval is proposed if the Planning Board determines that no physical changes (other than signs) will occur to the site or building exterior, that no new or additional requirements of the Zoning By-Law must be met for the proposed use, and that the proposed change in use will not result in a more intense use of the site.

# “ARTICLE 25 - ZONING AMENDMENT EXHIBIT B”



## Zoning

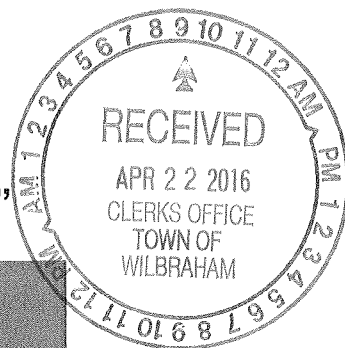


Proposed Amendment to the Zoning Map			
Rezoning from Residence-26 (R-26) to Neighborhood Office (NO)			
PARCEL #	ADDRESS	PARCEL SIZE	OWNER
2744	384 Main Street	32,940 sq. ft.	Wilbraham & Monson Academy

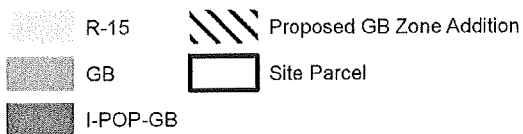
## EXPLANATION

Proposed rezoning from Residence-26 (R-26) to Neighborhood Office (NO) of approximately 32,940 square feet of land (the area represented by the black-lined, hatched-pattern on the above map) located at 384 Main Street (as listed in the chart shown above).

# “ARTICLE 26 - ZONING AMENDMENT EXHIBIT C”



## Zoning



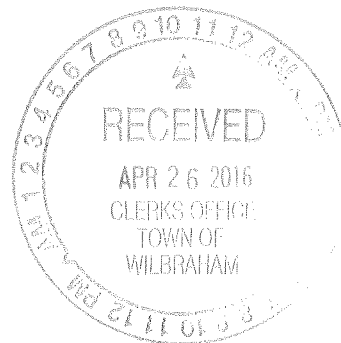
Proposed Amendment to the Zoning Map Rezoning from Residence-15 (R-15) to General Business (GB)			
PARCEL #	ADDRESS	PARCEL SIZE	OWNER
1832	4V Forest Street	19,998 sq. ft.	Frank L. Reed, Inc.

## EXPLANATION

Proposed rezoning from Residence-15 (R-15) to General Business (G.B.) of approximately 12,419 square feet of land (the area represented by the black-lined, hatched-pattern on the above map) comprising the southern-most portion of a parcel of land located at 4V Forest Street (as listed in the chart shown above).

**Article 27**  
**Exhibit 1 of 2**

**TOWN OF WILBRAHAM**  
240 Springfield Street  
Wilbraham, Massachusetts 01095



**BOARD OF SELECTMEN**  
Robert J. Boilard  
Susan C. Bunnell  
Robert W. Russell



**TOWN ADMINISTRATOR**  
Nick Breault  
Phone: (413) 596-2800 X-222  
FAX: (413) 596-9256

**LAYOUT — DANIELE DRIVE (EXTENSION)**

VOTED: To layout as a Public Way **DANIELE DRIVE (EXTENSION)** from the presently accepted portion beginning approximately 643 linear feet southerly from Tinkham Road up to and including the original cul-de-sac (where the original circular road termination has been eliminated and redesigned as a linear extension of the original road), and extending approximately 161 linear feet southerly to and including the new successor cul-de-sac, as shown on a definitive subdivision plan entitled "Daniele Drive Extension", (Plan P-1; sheet 2 of 10), prepared by R. Levesque Associates, Inc. and Paul S. Smith Land Surveying, dated 12/31/2013, revised through 3/26/2014, and recorded in the Hampden County Registry of Deeds in Book of Plans 369, Page 99.

Witness our hands and seals at Wilbraham this 25th day of April in the year 2016.

WILBRAHAM BOARD OF SELECTMEN

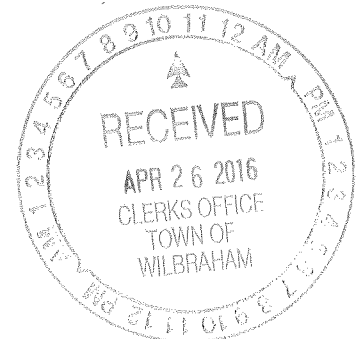
Robert J. Boilard, Chairman

Susan C. Bunnell

Robert W. Russell

**Article 27  
Exhibit 2 of 2**

**TOWN OF WILBRAHAM**  
240 Springfield Street  
Wilbraham, Massachusetts 01095



**BOARD OF SELECTMEN**  
Robert J. Boilard  
Susan C. Bunnell  
Robert W. Russell



**TOWN ADMINISTRATOR**  
Nick Breault  
Phone: (413) 596-2800 X-222  
FAX: (413) 596-9256

**LAYOUT — NICOLA WAY**

VOTED: To lay out as a Public Way **NICOLA WAY** from the intersection with Manchonis Road and extending approximately 294 linear feet southerly to the intersection with Washington Road as shown on plan entitled "Washington Heights Definitive Subdivision Proposed Lot Layout" (Sheet 2 of 11), prepared by Ecotec Environmental Associates Inc., dated September 2008, revised through June 4, 2012, and recorded in the Hampden County Registry of Deeds in Book of Plans 363, Page 69.

Witness our hands and seals at Wilbraham this 25th day of April in the year 2016.

WILBRAHAM BOARD OF SELECTMEN

Robert J. Boilard, Chairman

Susan C. Bunnell

Robert W. Russell



**TOWN OF WILBRAHAM**  
240 Springfield Street  
Wilbraham, Massachusetts 01095

**BOARD OF SELECTMEN**

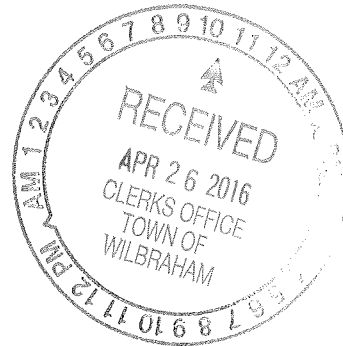
Robert J. Boilard  
Susan C. Bunnell  
Robert W. Russell



**TOWN ADMINISTRATOR**

Nick Breault  
Phone: (413) 596-2800  
FAX: (413) 596-9256

MEMO TO: BEVERLY LITCHFIELD, TOWN CLERK  
FROM : NICK BREAUT, TOWN ADMINISTRATOR  
DATE: APRIL 25, 2016  
SUBJECT: 2016 ANNUAL TOWN MEETING WARRANT  
ARTICLE 44 - ACCEPTANCE OF DEEDS



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**"ARTICLE 44, EXHIBIT A"**

The following list is the deeds and easements that are to be considered for acceptance by the 2016 Annual Town Meeting under Warrant Article #40:

**TEMPORARY CUL-DE-SAC EASEMENT:** WASHINGTON HEIGHTS REALTY TRUST to Town of Wilbraham  
26 Carla Lane (Lot 12) – 8,503 sq. ft.  
H.C.R.D. Bk. 20722 Pg. 318 (5/28/2015)

**QUITCLAIM DEED (CONSERVATION PURPOSES):** Helen Ham to Town of Wilbraham  
14-16-18-20-22-24 Shady Lane – 3.95 acres  
Hampden County Land Registration Document # 204785 filed with Certificate of Title 36594 (10/16/2015)

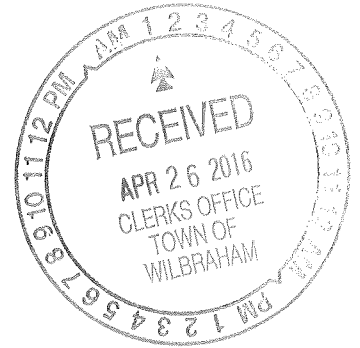
**STORM WATER DRAINAGE & WALKING PATH EASEMENT:** 601 MAIN STREET, LLC to Town of Wilbraham  
15V Willow Brook Lane (Parcel B) – 32,993 sq. ft.  
H.C.R.D. Bk. 20971 Pg. 553 (11/30/2015)

**CONVEYANCE OF EASEMENT RIGHTS IN STREET:** 601 MAIN STREET, LLC to Town of Wilbraham  
1V Willow Brook Lane (Willow Brook Lane)  
H.C.R.D. Bk. 20971 Pg. 556 (11/30/2015)

**STORM WATER DRAINAGE (SWD) EASEMENT #5:** WASHINGTON HEIGHTS REALTY TRUST to Town of Wilbraham  
29 Carla Lane (Lot 13) – 6,686 sq. ft.  
H.C.R.D. Bk. 21042 Pg. 542 (1/27/2016)

## Article 50—Town By-Law Adoption Exhibit A

Adoption of New General By-Law – Article VI, Section 635 - Litter



### SECTION 635: LITTER

For the purposes of this section, the following definitions shall be applicable:

**Garbage** – includes, but is not limited to putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.

**Litter** – includes, but is not limited to ‘garbage’, ‘refuse’ and ‘rubbish’ as defined herein and all other waste materials which, if thrown or deposited as prohibited in this article, tends to create a danger to public health, safety, and welfare.

**Refuse** – includes but is not limited to all putrescible and non-putrescible solid wastes (except bodily wastes) including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

**Rubbish** – includes but is not limited to a non-putrescible solid waste consisting of both combustible wastes such as paper wrappers; paper bags; paper towels or napkins; paper or plastic cups; cup lids; plastic bags; plastic or glass bottles; beverage cans; cardboard; tin cans, glass, bedding, crockery, yard waste, sticks, bushes, construction material, and similar materials including but not limited to cigarette butts, cigarette packs, gum packs, tissues, and any other items that would be considered garbage or refuse.

**Public Place** - the term "public place" includes any and all streets, sidewalks, boulevards, alleys or other public ways, any and all public parks, playgrounds, squares, spaces, grounds, buildings or vacant lots that are publicly owned and any other place where the public has a right of access as invitees or licensees.

a.) No person shall throw or otherwise deposit litter in or upon any public place within the town, except in proper receptacles for that purpose or in an official town disposal area.

b.) No person shall throw or otherwise deposit litter in any waterway or storm water collection system within the town.

c.) No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or any public place within the town.

Violations of provisions of Section 635

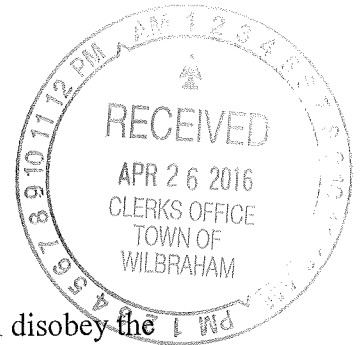
Fine Allowed                      Fifty Dollars (\$50)

Fine Schedule                    Each Offense

Enforcement Agents    Police Department, Health Agent, and Zoning Enforcement Officer

## Article 51—Town By-Law Amendment Exhibit B

### Section 705 Movement of Vehicles



#### SECTION 705: MOVEMENT OF VEHICLES

- a.) Obedience to Traffic Instructions. No driver of any vehicle shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend, unless otherwise directed by a police officer.
- b.) Following too closely. The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street or highway.
- c.) Care in starting, stopping, turning or backing. The driver of any vehicle, before starting, stopping, turning from a direct line or backing, shall first see that such movement can be made in safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, such driver shall wait for a more favorable opportunity to make such movement. If the operation of another vehicle should be affected by a stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal, as required by statute law.
- d.) Emerging from alleys or private driveways. The operator of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway.
- e.) One Way Traffic. Upon those streets or highways designated by the town for one-way traffic, and sign-posted for the same, no driver shall proceed except in the direction indicated by such signs.
- f.) Clinging to moving vehicles. It shall be unlawful for any person traveling upon any bicycle, coaster, sled, roller skates or any toy vehicle to cling to or attach himself or such conveyance to any other moving vehicle upon any roadway.
- g.) Driving on Sidewalk. The driver of a vehicle shall not drive upon any sidewalk except at a permanent or temporary driveway. The provisions of this section shall not apply to persons actually engaged in work upon a sidewalk closed to travel, under construction, under repair, snow removal, to drivers of United States Postal Service vehicles, to officers engaged in the performance of public duties, nor to drivers of emergency vehicles acting in the performance of their public duties when the nature of the work of any of these persons necessitates a departure from any part of this section.

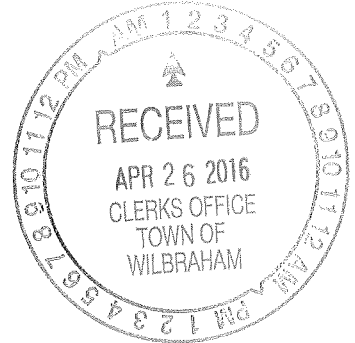
#### Violations of provisions of Section 705

Fine Allowed	Twenty Dollars (\$20)
Fine Schedule	Each Offense
Enforcement Agent	Police Department

## Article 52—Town By-Law Amendment Exhibit C

Section 706 (c) (3) Parking Prohibited, Fines, Disabled Veterans/Handicapped Persons, etc.

3) Pursuant to MGL C 40 S 22A the penalty for the offenses in Subsection (a. 26) (Disabled Veterans/Handicap Persons, etc.) shall be a fine in the amount of two hundred dollars (\$200) if paid within twenty-one (21) days; the fine shall increase to two hundred fifty dollars (\$250) if paid thereafter. If not paid within sixty days (60) the Registry of Motor Vehicles is notified and additional penalties will be added as prescribed by law.



## Article 53—Town By-Law Adoption Exhibit D

Adoption of New General By-Law – Article VI, Section 637 – Public Consumption of Marijuana or Tetrahydrocannabinol.

### **SECTION 637: PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL**

a.) No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in M.G.L.A. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

b.) This section may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to M.G.L.A. c. 40, § 21, or by noncriminal disposition pursuant to M.G.L.A. c. 40, § 21D, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this section shall be one hundred dollars (\$100) for each offense. Any penalty imposed under this section shall be in addition to any civil penalty imposed under M.G.L.A. c. 94C, § 32L.

